

STATE OF TENNESSEE
EXECUTIVE ORDER
BY THE GOVERNOR

Number 52

**AN ORDER TRANSFERRING THE EMERGENCY SHELTER GRANT
PROGRAM FROM THE DEPARTMENT OF HUMAN SERVICES TO THE
TENNESSEE HOUSING DEVELOPMENT AGENCY**

WHEREAS, the needs of the homeless and those in need of emergency shelter services in Tennessee are an important and on-going concern of federal, state and local governments; and

WHEREAS, the effective coordination and provision of services to the homeless and those in need of emergency shelter services are necessary to ensure that resources for the assistance of homeless persons and those in need of emergency shelter are utilized to the maximum extent feasible; and

WHEREAS, the Commissioner of the Department of Human Services, which currently administers the Emergency Shelter Grant program pursuant to Tennessee Code Annotated §71-1-112(b), and the Board of Directors of the Tennessee Housing Development Agency have determined that transferring the Emergency Shelter Grant Program from the Department of Human Services to the Tennessee Housing Development Agency will facilitate the operation of the program by enabling improved coordination of planning and services for homeless persons and those in need of emergency shelter grants.

NOW, THEREFORE, I, Phil Bredesen, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and law, including but not limited to Tenn. Code Ann. §4-4-117, do hereby order the following:

1. The Emergency Shelter Grant Program ("Grant Program"), now administered by the Department of Human Services, is hereby transferred to the Tennessee Housing Development Agency ("THDA"), effective July 1, 2008.
2. The Commissioner of Human Services, with the assistance of the Commissioner of Finance and Administration, shall immediately begin the process of implementing this Executive Order No. 52, with such process to be completed by July 1, 2008.
3. The Commissioner of Finance and Administration shall on or before July 1, 2008, transfer to the THDA from the Department of Human Services all appropriations and other revenues budgeted for the Grant Program. As needed, the Department of Finance and Administration shall revise the budgets of both agencies to reflect the effect of this Executive Order No. 52.
4. All contractual arrangements entered into on or before July 1, 2008, by the Department of Human Services with any entity, corporation, agency, enterprise or person with respect to the Grant Program transferred herein shall continue in full force and effect as to all essential provisions in

accordance with the terms and conditions of the contracts in existence on July 1, 2008, to the same extent as if such contracts had originally been entered into by and between such entity, corporation, agency, enterprise or person and the THDA, unless and until such contracts are amended or modified by the parties thereto.

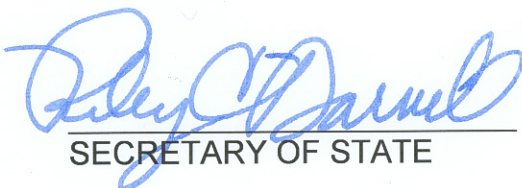
5. The Department of Human Services and the THDA shall have all necessary authority jointly to make any program decisions or modifications or to make fiscal arrangements, in consultation with the Department of Finance and Administration, for each agency necessary to complete an effective transition of duties and to ensure that the maximum amount of available federal grant funds and state funds are utilized for the Grant Program during the transition period and are available to the THDA for the operation of the program subsequent to the transfer of duties; provided, specifically however, that in order to ensure completion of the process of entering any necessary contracts prior to its assumption of duties, the THDA shall have authority, upon the date of this Executive Order, to issue any necessary requests for proposals for Emergency Shelter Grant services, to enter contracts to become effective July 1, 2008, and to undertake all other actions necessary to effectuate the implementation of those contracts.
6. The Department of Human Services shall notify all affected state and local agencies, including but not limited to the Governor's Interagency Council on Homelessness established by Executive Order No. 21, of the transfer of the Grant Program and shall work with the THDA and all such agencies to ensure a coordinated transition of the program.
7. To the extent that their terms are inconsistent with the terms of this Executive Order No. 52, all previous executive orders are hereby repealed.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 21st day of December, 2007.



GOVERNOR

ATTEST:


SECRETARY OF STATE